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Law

**ASSIGNMENT TO THE JUDGE ADVOCATE
GENERAL'S DEPARTMENT RESERVE**

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This instruction implements AFD 51-8, Assignment, Training, and Management of Members of The Judge Advocate General's Department Reserve (TJAGDR). It establishes eligibility and processing requirements for assignment to TJAGDR.

SUMMARY OF REVISIONS

AFI 51-802 outlines requirements for assignments to TJAGDR and the processing of applications for assignment to TJAGDR. For paralegal qualifications, this change refers to the most current TJAG Policy Letter on paralegal recruiting and deletes the specific requirements from the instruction; changes the highest accessible paralegal grade to E-6; deletes the reserve paralegal requirement of prior active duty military service; and, changes Qualification Boards to Reassignment Panels.

1. Purpose. Provide accession and removal standards to meet the peacetime and mobilization readiness requirements for high quality legal and paralegal personnel in TJAGDR.

2. Authority. Department of the Air Force General Order No.49, July 13, 1949, and the authorities cited therein, and AFD 51-8. The Judge Advocate General (TJAG) has the sole authority to designate officers as judge advocates and to assign judge advocates for duty (see AFD 51-1, The Judge Advocate General's Department).

3. TJAGDR Judge Advocate Assignments--Eligibility Requirements. Persons who meet the education and bar membership qualification standards of AFD 51-8 and this instruction may apply for assignment to TJAGDR, with concurrent assignment to United States Air Force Reserve (USAFR) unit, individual mobilization augmentee (IMA), or Air National Guard (ANG) judge advocate positions within TJAGDR.

3.1. USAFR Judge Advocate Positions--Eligibility Requirements . Only the following persons are eligible for assignment to USAFR unit and IMA judge advocate positions in TJAGDR:

3.1.1. Persons who, at the time of their application for assignment to TJAGDR, hold commissions as Reserves of the Air Force, and who have served on extended active duty (EAD) in commissioned status for a minimum period of two years.

3.1.2. Persons who have served on EAD as judge advocates in one of the U.S. armed forces for a minimum period of at least two years.

3.2. ANG Judge Advocate Positions--Eligibility Requirements. Only persons who meet the qualification standards of NGR (AF) 36-2, *Appointment of Officers in the Air National Guard of the United States and as Reserves of the Air Force*, may be assigned to ANG positions in TJAGDR.

4. TJAGDR Applications—Air Reserve Component Judge Advocates. Applicants who hold commissions as Reserves of the Air Force and who have previously been designated as judge advocates by TJAG may apply for assignment to TJAGDR by letter, accompanied by an AF Form 1288, Application for Ready Reserve Assignment and a current resume, to HQ ARPC/JAR, 6760 E. Irvington Place, #5200, Denver, CO 80280-5200. (ARPC/JAR will forward applications for USAFR and ANG unit judge advocate positions to the appropriate component. See Paragraphs 7.2. and 7.3. See also Paragraph 6.)

5. TJAGDR Applications--All Others. Applicants who do not meet the requirements of paragraph 4 may apply for assignment to TJAGDR by submitting the following documents to HQ ARPC/JAR:

5.1. AF Form 24, Application for Appointment as Reserves of the Air Force or USAF Without Component, in triplicate.

5.2. AF Form 1288.

5.3. Evidence of law school graduation.

5.4. Evidence of admission to practice law and proof of good standing.

5.5. An affidavit containing a chronological statement of legal experience, including military, governmental or judicial service; teaching; corporate employment; or the private practice of law, as applicable.

5.6. For applicants with prior commissioned service in any branch of the armed forces: copies of all officer performance or fitness reports.

6. TJAGDR Application--Interview. Besides submitting written applications (paragraphs 4. or 5), all applicants (except those currently assigned to TJAGDR) must be interviewed by an active duty USAF staff judge advocate (SJA) in the grade of major (O-4) or above. The SJA's interview must cover the applicant's military experience, education, and legal experience. The SJA forwards the interview report, with an evaluation of the applicant and a recommendation for or against appointment, to HQ ARPC/JAR for IMA applications or to AFRC/JA for unit position applications. For ANG direct appointment and commissioning applications, the SJA forwards the interview report to the commander of the gaining ANG unit for inclusion in the application package (see paragraph 7.3.1.).

7. Processing Applications for TJAGDR Judge Advocate Positions. HQ ARPC/JAR processes applications for assignment to USAFR unit and IMA positions and to ANG positions in TJAGDR, as follows:

7.1. Upon receiving an application for assignment to an IMA position, HQ ARPC/JAR attaches a recommendation and processes the application through HQ USAF/JAAR for approval or disapproval by TJAG. Upon final approval of the application, HQ ARPC/DP, issues orders of assignment to TJAGDR.

7.2. Upon receiving an application for assignment to a USAFR unit position, HQ ARPC/JAR comments upon the application, and forwards it to HQ AFRC/JA, Robins AFB, GA 31098-1635. HQ AFRC/JA attaches a recommendation and processes the application through HQ USAF/JAAR for approval or disapproval by TJAG. Upon final approval of the application, HQ USAF/JAAR returns the package with an approval letter to HQ AFRC/JA for further processing. HQ AFRC/JA coordinates with gaining unit personnel and forwards the approval letter and required documentation to HQ ARPC/DAO. HQ ARPC/DP issues orders of assignment to TJAGDR.

7.3. Upon receipt of an application for assignment to an ANG position, HQ ARPC/JAR attaches comments and will:

7.3.1. Forward any application for direct appointment and commissioning, and any application from a person who has never previously been designated as an Air Force judge advocate, to the gaining ANG unit for processing, as required by NGR (AF) 36-2, or any successor directive. Upon final approval of the application, ANG/MPPSO, issues orders of assignment to TJAGDR.

7.3.2. Forward all other applications to the ANG Assistant to TJAG. The ANG Assistant to TJAG, or designee, attaches a recommendation and processes the application through HQ USAF/JAAR for approval or disapproval by TJAG. Upon approval by TJAG, the ANG Assistant to TJAG, or designee, forwards the application to the unit for final assignment action, or any further processing required by NGR (AF) 36-2. Upon final approval of the application, ANG/MPPSO, issues orders of assignment to TJAGDR.

7.4. Applicants for unit reserve and ANG judge advocate positions may also submit applications through unit personnel channels. Such applications will conform to the requirements of paragraph 4. or paragraph 5, above, as appropriate, and will be processed in accordance with the requirements of AFI 36-2005 and NGR (AF) 36-2, as applicable. Processing includes obtaining approval of The Judge Advocate General.

7.5. Return disapproved applications to the applicant. If the application requested assignment to a USAFR or ANG unit judge advocate position, HQ USAF/JAAR notifies HQ AFRC/JA or ANG/MPPSO, as applicable. That office, in turn, notifies the unit that assignment to TJAGDR has been denied and that the applicant is ineligible to hold a unit judge advocate position.

8. Termination of Assignment to TJAGDR. Voluntary termination of an assignment to a USAFR IMA or unit judge advocate position, or an ANG judge advocate position also terminates both assignment to TJAGDR and designation as a judge advocate.

9. Credit for Legal Experience--Judge Advocates. For the purpose of initial grade determination, applicants for TJAGDR positions receive legal experience credit as follows:

9.1. Constructive service credit, by year, month, and day up to the date of application, not to exceed 3 years, for actual legal experience only. Credit is awarded at the rate of ½ year credit for each full year of qualifying experience. Three years of constructive service credit for law school attendance. Con-

structive service credit, not to exceed 4 years, for EAD service as a commissioned officer in any uniformed service of the United States.

9.2. The following legal experience credit is required for assignment in the following grades:

| GRADE | REQUIRED LEGAL EXPERIENCE |
|--------------------------|---------------------------|
| First Lieutenant (O-2) | At least 3 years |
| Captain (O-3) | At least 7 years |
| Major (O-4) | At least 14 years |
| Lieutenant Colonel (O-5) | At least 21 years |

9.3. Initial applicants for assignment to TJAGDR in the grade of O-4, or above, must possess the legal experience necessary to satisfactorily perform duties in the grade sought and in a legal specialty required by the Air Force. TJAG may deny the application of persons lacking such experience.

10. TJAGDR Judge Advocate Assignments/Attachments--Miscellaneous:

10.1. Applicants on flying status must submit with their applications a voluntary request for permanent suspension from flying status.

10.2. IMA judge advocates submit requests for change in training attachment through command channels to HQ ARPC/JAR, with a copy to the requested office of reattachment. HQ ARPC/JAR coordinates with affected commands and MAs or senior IMAs, and forwards the application through HQ USAF/JAAR to TJAG for final approval.

10.3. Annually, TJAG issues a written order listing the names of all persons currently assigned to TJAGDR and designated as Air Reserve Component judge advocates.

11. Change of Air Force Specialty Code (AFSC). The Commander, ARPC, at the time of publication of an approved applicant's orders of assignment to TJAGDR, deletes the applicant's other AFSCs and designates a primary AFSC of 051J3 to applicants assigned or attached to positions at or below wing level, and 051J4 to applicants assigned or attached to positions at higher organizational levels.

11.1. Judge advocates assigned to TJAGDR may not hold a secondary AFSC in any other career field and may not be assigned to duties other than those of a judge advocate.

12. TJAGDR Paralegal Assignments/Eligibility Requirements. Prospective paralegals who meet the standards of AFD 51-8 and this instruction may apply for assignment to TJAGDR.

13. Paralegal Retraintees. Enlisted personnel may apply for retraining into the paralegal career field from any other career field.

13.1. Applicants for retraining must project a professional image, have the ability to engage in effective verbal communication, and meet the standards and qualifications set out in the most current TJAG Policy Letter on paralegal personnel recruiting and AFMAN 36-2108, Airman Classification.

13.2. Applicants for IMA positions must be in the grade of technical sergeant (E-6) or below, or accept a reduction to technical sergeant, to be considered for retraining into the reserve paralegal program.

14. Paralegal Applications. Except for those currently assigned to TJAGDR, all applicants for assignment to TJAGDR paralegal positions must submit an interview report by the senior paralegal and staff judge advocate of an Air Force active duty legal office, or an Air Reserve Component unit legal office. Where practicable, personnel of an active duty legal office will conduct the interview. Applicants who do not currently hold a paralegal AFSC must also submit documentation to show they have all required skills (see paragraph 13.1.).

14.1. First-time applicants and those affiliated with the Air Force Reserve who do not currently hold a paralegal AFSC submit applications for any TJAGDR paralegal program through an Air Reserve Component recruiting office. The recruiter arranges for required tests or interviews. Recruiters forward completed application packages to the appropriate office for further processing (see paragraph 15).

15. Application Procedure.

15.1. Send applications for paralegal positions in AFRC units through HQ AFRC/JA, Robins AFB GA (see AFPD 51-8).

15.2. Send applications for paralegal positions in the ANG through the ANG Assistant to TJAG, or designee (see AFPD 51-8).

15.3. Send applications for paralegal IMA positions through HQ ARPC/JAR (see AFPD 51-8).

15.4. All applications for assignment to a TJAGDR paralegal position must include:

15.4.1. AF Form 1288 for personnel currently holding a paralegal AFSC who request a base-to-base permanent change of station (PCS) reassignment.

15.4.2. AF Form 3920, *Request for Reservist Voluntary Retraining*, for personnel not currently holding a paralegal AFSC who request a retraining/permanent change of assignment (PCA) reassignment.

16. IMA Paralegal Reattachments. IMA paralegals submit requests for change in training attachment, through command channels, to HQ ARPC/JAR, with a copy to the requested office of reattachment. HQ ARPC/JAR coordinates with affected commands and MAs or senior IMAs before acting on the request.

17. Reassignment Panels. TJAG may annually convene panels to review the qualifications of all members of TJAGDR in accordance with ARPC Manual 36-2604, *Central Manager Reassignments in the Air Force Reserve*. Reassignment panels will be composed of members nominated and approved by TJAG.

18. Removal and Reassignment From TJAGDR. TJAG may relieve a member from assignment to TJAGDR for cause, or when, in the exercise his discretion, removal appears to be in the best interests of the Department. TJAG may also remove a member from TJAGDR, if a reassignment panel so recommends.

18.1. Those removed from TJAGDR are not entitled to hold the judge advocate or paralegal AFSC. Judge advocates who are relieved will no longer appear in TJAG's annual designation order, nor will they wear the judge advocate insignia. Orders effecting relief from assignment to TJAGDR delete the primary AFSC held. Do not award the legal and paralegal AFSCs as secondary or tertiary AFSCs in the event of reclassification to another primary AFSC.

18.2. Judge Advocates in the grade of O-6 or higher seeking voluntary relief from assignment to TJAGDR will notify The Judge Advocate General, in writing, setting forth reasons for such action. Submit notification through organizational channels to HQ USAF/JAAR, for final review by TJAG.

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The Judge Advocate General